

Parke 2011

FILED

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF PARKE )

JUL 10 2007

*Kim Shatt*  
 CLERK PARKE CIRCUIT COURT

## IN THE CIRCUIT COURT OF PARKE COUNTY

IN RE: THE MATTER OF THE MINIMUM  
 CRIMINAL BAIL SCHEDULE FOR  
 PARKE CIRCUIT COURT

CAUSE NO. 61C01-0707-MI-263

**MINIMUM BAIL SCHEDULE**  
**(Revised July 10, 2007)**

Comes now the Honorable Sam A. Swaim, Judge of the Parke Circuit Court, and enters the following Minimum Criminal Bail Schedule:

A. Standard minimum bail set in criminal cases shall be as follows:

<b><u>FELONY CLASSIFICATION</u></b>	<b><u>AMOUNT</u></b>
A	\$100,000
B	50,000
C	15,000
D	10,000
D (Operating Vehicle While Intoxicated)	7,000

<b><u>MISDEMEANOR CLASSIFICATION</u></b>	<b><u>AMOUNT</u></b>
A (OVWI and BAC)	\$ 7,000
A	5,000
B	3,000
C	3,000
C (Operating with .08% or More BAC)	7,000

B. Violent Offenses. Any person charged with a violent offense against another person, including all forms of battery and invasion of privacy, or an attempt at such a crime, should not be released till after his/her initial hearing unless otherwise ordered by the Court.

C. Probation. Persons known to be on probation at the time of their arrest should not be released till after his/her initial hearing unless otherwise ordered by the Court.

D. The Court may fix a higher or lower bail upon the showing of appropriate circumstances. All bail fixed pursuant to this schedule shall be reviewed upon motion of any party.

E. Allowance of 10%

1. Any person charged with a Class D Felony or a Misdemeanor who are found:

- a.) To have close ties to the community;
- b.) Not to have been previously convicted of a felony or a misdemeanor; and
- c.) Not presently on bond, parole or probation for any other offense;

may be entitled to release upon posting 10% cash bond in the defendant's name with the Clerk of the Court or the Parke County Jail.

F. Special Circumstances. In Misdemeanor and D Felony offenses, The Sheriff of Parke County and/or the Parke County Prosecutor or his Deputies have the discretion, under circumstances they deem appropriate [for example, there is good reason to believe an offender has severe medical problems, is at risk regarding his or her own health or that of others at the jail] to release an offender and give him or her an appearance date for Court on his or her own recognizance or by posting 10%, and has the discretion upon the approval by the Judge of the Parke Circuit Court or the Parke County Prosecutor or his Deputies to release ANY defendant, but under no circumstances shall a defendant charged with an alcohol related offense be released before his blood alcohol level is less than .08% pursuant to I.C. 35-33-1-6.

G. The Parke County Clerk's Office and the Parke County Sheriff's Department are directed to follow any decision made by the Parke County Prosecutor or his Deputies with respect to any issue concerning the setting of bond, the posting of bond, and the release of any defendant being held in the Parke County Jail.

H. No property bond shall be accepted or allowed. Surety bonds shall not be accepted or allowed unless prior approval is granted by the Court.

DATED THIS 10th DAY OF JULY, 2007.

  
HONORABLE SAM A. SWAIM  
JUDGE, PARKE CIRCUIT COURT